

IN THE UNITED STATES DISTRICT COURT FOR  
THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION

HOLCOMBE, et. al,

Plaintiffs

vs.

UNITED STATES OF  
AMERICA,

Defendant

NO. 5:18-CV-00555-XR

(consolidated cases)

**SCHEDULING ORDER**

On this date, the Court considered the status of this case. This Scheduling Order supersedes and replaces the Court's previous scheduling order (ECF NO. 98), and any prior modifications to that order. The Court ORDERS as follows:

The Defendant shall file their designation of testifying liability experts, and serve on all parties, but not file, the materials required by Fed. R. Civ. P. 26(a)(2)(B), on or before Wednesday July 15, 2020. Any rebuttal reports shall be served 15 days from that date.

The deadline to file dispositive motions and *Daubert* motions pertaining to retained liability experts, but not including motions *in limine*, is Friday September 4, 2020. This deadline is applicable to the filing of any summary judgment motion under Fed. R. Civ. P. 56. Leave of court is automatically given to file motions not to exceed 40 pages in length, responses not to exceed

30 pages in length, and replies not to exceed 20 pages in length. Responses shall be filed by Friday, September 18, and any replies shall be filed by Friday, October 2.

The Court seeks to adjudicate any dispositive motions on liability prior to the recommencement of damages depositions. However, due the April 5, 2021 trial date, and the substantial amount of damages discovery remaining, IMES and depositions of individuals other than Plaintiffs whose testimony primarily or solely pertains to damages may begin on Monday, November 2, 2020. The Defendant shall file their designation of testifying damages experts, and serve on all parties, but not file, the materials required by Fed. R. Civ. P. 26(a)(2)(B) on or before Wednesday January 6, 2021. Any rebuttal reports shall be served 15 days from that date.

The deadline for the completion of all discovery is Friday, March 5, 2021. The disclosures required under Fed. R. Civ. P. 26(a)(3), *Daubert* motions pertaining to any damages expert, and motions *in limine* shall be filed on or before Friday, March 12. Objections to those disclosures, and any motion filed, shall be filed on or before Friday, March 26.

The Final Pretrial Conference shall be held on \_\_\_\_\_  
at \_\_\_\_\_ am / pm.

The Trial Date is Monday, April 5th, 2021 at 9:00 am.

It is so ORDERED.

SIGNED on this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

HON. JUDGE XAVIER RODRIGUEZ